Nowhere else has there been such an effective marshalling of the adjudications, the practice of the government, and the opinions of attorneys-general and of law writers favorable to the view of national supremacy in this matter.

The author concludes that the treaty-making power is unlimited except that of course it cannot deal with or affect matters not properly within the scope of international negotiation; and further except as the very nature of our government limits it. For example, no treaty could lawfully provide for a change in our federal government or in those of the states, though it is believed that in case of necessity the United States by treaty might cede territory of a state. The first limitation, namely, that a treaty may deal only with subject-matter properly *inter alios,* is of course a somewhat vague and shifting one. Possibly it would exclude from treaty-making more matters within the category of "reserved rights" than Dr. Corwin is inclined to concede. At any rate here is an important check upon the President and Senate, as indeed Dr. Corwin points out. This and other checks such as the required consent of the Senate (the special representative of the states), the power of Congress to abrogate treaties, the interest of the nation to preserve the police power of the states, are set forth in the concluding chapter.

The reviewer finds little difficulty in agreeing with Dr. Corwin's main contentions. He perhaps states some of them in extreme terms, for he travels to what he deems logical conclusions with remorseless boldness. Some of his arguments from analogy are not entirely convincing, or rather it may be said that the commerce and taxing powers of Congress so often referred to in the book do not afford perfect analogies to the treaty-making power. The chapter on the "enforcement of treaties" covers some ground that is certainly debatable. But with the main thesis of the book that the Tenth Amendment does not constitute a limitation upon the supremacy of the nation in making treaties, the present reviewer finds himself in hearty accord.

The book as a whole is characterized by the keen and brilliant analysis, careful research and the scholarly and comprehensive grasp of the principles of our constitutional law, with which the readers of this Review already have been made familiar by several articles by Dr. Corwin. It is a very valuable contribution to a subject of great importance. H. M. B.

FOREIGNERS IN TURKEY: THEIR JUDICIAL STATUS, by Philip Marshall Brown, Assistant Professor of International Law and Diplomacy in Princeton University, formerly Secretary and Charge D'Affaires of the American Embassy in Constantinople, and Minister to Honduras. Princeton: Princeton University Press, 1914; pp. vii, 157.

In view of the recent declaration by Turkey of her intention to abrogate all treaties containing extraterritorial grants to foreigners, Professor Brown's volume is unusually timely and interesting. Based upon personal investigation and observation in Turkey and a careful examination of the large and varied literature of the subject, the work, while almost distressingly brief,

is scholarly in treatment and judicious in opinion. After a preliminary historical account of the origin and development of the capitulations, the author considers the present judicial rights of foreigners under existing treaties and describes the procedure of the consular courts. He favors the interpretation of the treaty of 1830 urged by the United States but regrets that we have not always insisted in practice upon those rights which we have claimed in principle. Admitting that the present system is not entirely satisfactory either to Turkey or to other nations, he suggests that, while the consular courts should be retained, Turkey should have complete jurisdiction over foreigners as well as nationals in matters affecting public law and order in the Ottoman Empire. This suggestion for a compromise appears to be reasonable.

J. S. R.

WHERE THE PEOPLE RULE, OR THE INITIATIVE AND REFERENDUM, DIRECT PRIMARY LAW AND THE RECALL IN USE IN THE STATE OF OREGON, by Gilbert L. Hedges, B.A., LL.B. San Francisco: Bender-Moss Company, 1914; pp. vii, 214.

In this volume, which might be called a handbook of the Oregon "System," have been collected the various constitutional and statutory provisions by which that state has adopted the so-called "newer instruments of democracy." The author includes a full and apparently accurate account of the machinery of the initiative, referendum, and recall, and of direct primaries. Lists are given showing the votes upon various popularly enacted measures down to November, 1913, and there is a description of each attempted recall. Critical comment is confined to a single chapter wherein the author admits that the new system has "not yet been fully tried out." "The people do not discriminate between initiative and referendum measures. They sign any petition without hesitation." He believes that voting must be made compulsory for the proper working of the system. "The people believe they have taken a long step forward in an attempt to make their government more responsive to the popular will. They cannot now retreat if they would, nor do they care to do so." The book may be commended as the successful attempt of a friend of the system to describe it without partisanship.

J. S. R.

THE MECHANICS OF LAW MAKING, by Courtenay Ilbert, G.C.B., Clerk of the House of Commons. New York: Columbia University Press, 1914; pp. viii, 209.

This volume by the distinguished Clerk of the British House of Commons, who is acknowledged as the greatest living authority upon legislative bill-drafting and parliamentary procedure, has an informal and semi-popular quality (the chapters were delivered as lectures in 1913 at Columbia University) lacking in the same writer's *Legislative Methods and Forms,* which has come to be a classic. Sir Courtenay Ilbert's long experience in the exacting